

**REPORT - PLANNING COMMISSION MEETING**  
**September 12, 2002**

**Project Name and Number:** Winter Relief Program 2002-2003 (PLN2003-00036)

**Applicant:** Tri-City Homeless Coalition

**Proposal:** To consider a total of seven conditional use permit amendments to allow temporary shelters for the homeless in five existing religious facilities throughout the city (South Bay Community Church, St. James Episcopal Church, Fremont Bible Fellowship, Niles Congregational Church, St. Leonard's Catholic Church), a hospitality center in an existing religious facility (Centerville Presbyterian Church), and a day educational program in an existing religious facility (Harvest House Community Church).

**Recommended Action:** Approve, based on findings and subject to conditions.

**Location:**

- a. South Bay Community Church – 47385 Warm Springs Boulevard in the Warm Springs Planning Area.
- b. St. James Episcopal Church – 37051 Cabrillo Terrace in the Centerville Planning Area.
- c. Fremont Bible Fellowship – 37365 Centralmont Place in the Centerville Planning Area.
- d. Niles Congregational Church – 255 H Street in the Niles Planning Area.
- e. St. Leonard's Catholic Church – 3600 St. Leonard's Way in the Central Planning Area
- f. Centerville Presbyterian Church – 4330 Central Avenue in the Centerville Planning Area.
- g. Harvest House Community Church – 42055 Blacow Road in the Irvington Planning Area.

**Assessor Parcel Numbers:**

- a. 519-1681-029-00
- b. 501-0455-026-01
- c. 501-0350-002-19
- d. 507-0290-011-01
- e. 525-0802-070-00
- f. 501-0704-003-00
- g. 525-1282-020-02

**Area:**

- a. 1.57 acres
- b. 2.10 acres
- c. 1.01 acres
- d. 0.77 acres
- e. 7.10 acres
- f. 3.89 acres
- g. 2.10 acres

**Owner:**

- a. South Bay Community Church
- b. St. James Episcopal Church
- c. Fremont Bible Fellowship
- d. Niles Congregational Church
- e. St. Leonard's Catholic Church
- f. Centerville Presbyterian Church
- g. Harvest House Community Church

**Agent of Applicant:** Louis Chicoine and Mary Ellen Gallagher of Tri-City Homeless Coalition

**Consultant:** n/a

**Environmental Review:** This project is exempt under CEQA Section 15304(e), a minor temporary use of land having negligible or no permanent effects on the environment. No development is proposed as part of this application.

**Existing General Plan:**

- a. Restricted Industrial
- b. Residential 5-7 dwelling units per acre; Primary Historic Resource
- c. Light Industrial
- d. Residential 6.5-10 dwelling units per acre
- e. Residential 5-7 dwelling units per acre
- f. Residential 23-27 dwelling units per acre
- g. Residential 5-7 dwelling units per acre

**Existing Zoning:**

- a. I-R Restricted Industrial District
- b. R-1-6 Single-Family Residence District
- c. I-L Light Industrial District
- d. R-1-8 (H) Single-Family Residence Historical Overlay District
- e. R-1-6 Single-Family Residence District
- f. R-G-19 Garden Apartment Residence District
- g. R-1-6 Single-Family Residence District

**Existing Land Use:** Existing religious facilities

**Public Hearing Notice:** Public hearing notification is applicable. A total of 721 notices were mailed to owners and occupants of property within 300 feet of each site. The notices to owners and occupants were mailed on August 30, 2002. A Public Hearing Notice was delivered to The Argus on August 28, 2002 to be published by August 30, 2002.

**Executive Summary:** The applicant, Tri-City Homeless Coalition, is requesting conditional use permit amendments to allow the use of existing church facilities as temporary shelters (one month rotation at each church) for 11 homeless families (maximum of 40 people). The program includes one hot meal per day, case management, and sleeping arrangements in churches. The meal and case management will take place at the hospitality center at the Centerville Presbyterian Church from 5:00pm to 8:00pm. Sleeping arrangements would be located in existing religious facilities at various locations in Fremont on a one-month rotation from 8:00pm to 8:00am. A day educational program would be located at Harvest House Community Church and operate Monday through Friday from 8:00 a.m. to 5:00 p.m.

**Background and Previous Actions:** On December 13, 1988, the City Council adopted Resolution #7489 declaring a health and safety emergency for homeless persons in the City of Fremont. The resolution directed the City Manager to assist public and private agencies to develop and implement an emergency winter shelter program. The resolution also directed preparation of zoning text amendments regarding temporary homeless shelters as a use in conjunction with religious facilities and other appropriate public and private facilities. A zoning text amendment and development policies were later adopted to regulate temporary and permanent homeless shelters and services associated with homeless outreach programs. A winter shelter program operated for several years in six churches on a rotational basis and served approximately 60 persons a night (two churches with 30 persons per site). The program was to provide temporary shelter until a permanent homeless shelter was constructed. A permanent homeless shelter, Sunrise Village, opened in 1993.

Tri-City Homeless Coalition operates Sunrise Village which is located on Brown Road in Fremont. The shelter serves residents of the Tri-City and south Hayward area. Sunrise Village has a capacity of 66 individuals. The facility has 10 private individual family rooms housing a total of 36 residents, of whom 25 are children. The shelter also has 4 dormitory rooms for 30 adults (16 men and 14 women). The goal of the Sunrise Village is to return homeless people to stable housing by providing shelter, stability, and opportunities to improve life skills and self-reliance. Residents of the shelter are limited to a three-month stay. Since opening, Sunrise Village has been at capacity every night and regularly turns away individuals. Individuals are admitted by a telephone screening process in order of when the phone call was received. Families are put on a waiting list for admittance to the shelter.

On December 14, 2000, the Planning Commission approved the first Winter Relief program for the months of January through April 2001. The Winter Relief Program for 2001-02 was approved by the Planning Commission on September 20, 2001. There is a need for a Winter Relief Program again this year. Currently there are 70 families with 150 children on the waiting list for Sunrise Village and approximately a two-month waiting period for the first 10 families to be admitted.

**Project Description:** The Tri-City Homeless Coalition 2002-03 Winter Relief Program would provide temporary shelter for eleven families (maximum of 40 people) waiting to enter Sunrise Village. The program would include one hot meal per day, case management, and sleeping arrangements in churches. There are a total of seven religious facilities participating in the shelter program this year. The program will operate seven days a week from November 2002 through March 2003 (five months) 24 hours a day in the following manner:

Centerville Presbyterian Church will be the hospitality site where families will gather starting at 5:00 p.m. and leave at 8:00p.m. At this site families will receive dinner and case management. Recovery programs for adults and a program for children may also be part of the program. At 8:00 p.m. the clients of the program will move to the host sleeping facility for the night. The host sleeping facility will be located at one of the six other religious facilities on a one-month rotation at each church. Shelter monitors will be at each site the entire time clients are on the premises. The families will travel by private car or receive transportation to the sleeping sites. After a cold breakfast, clients will leave the facility by 8:00 a.m. The five facilities participating as sleeping sites are South Bay Community Church, St. James Episcopal Church, Fremont Bible Fellowship, Niles Congregational Church, and St. Leonard's Catholic Church. A day educational program will be held at Harvest House Community Church, Monday through Friday from 8:00 a.m. to 5:00 p.m. Clients will receive help through classes including adult literacy and school readiness programs. The day program will be staffed by volunteers, including retired teachers.

Tri-City Homeless Coalition will be providing case management services through the HOPE Project, a mobile outreach program. Case managers will help families set goals, address issues which led to homelessness, insure that children are enrolled in and attending school, and help families save money. The Tri-City Homeless Coalition anticipates families will stay in the Winter Relief Program for two to four months until space becomes available at Sunrise Village. As families move from the Winter Relief Program, new families will take their place.

### **Project Analysis:**

- **General Plan Conformance:** The General Plan land use designations for the project site are Restricted Industrial (a); Residential 5-7 dwelling units per acre (b, f, and g); Light Industrial (c); Residential 6.5-10 dwelling units per acre (d); and Residential 23-27 dwelling units per acre (e). The proposed project is consistent with the existing General Plan land use designations for the project sites because the proposed use is an accessory use to allowed uses in each land use designation. The Winter Relief Program is consistent with the following objective, policy, and implementation measures of the Housing Chapter of the General Plan:

<b>Objective H 3.6:</b>	A range of housing services to meet the needs of households with special needs within the City, including the homeless, families with children, and those of low and very low income.
<b>Policy H 3.6.2:</b>	Assist in meeting the needs of the homeless and those who have emergency housing needs in Fremont.
<b>Implementation 1:</b>	Establish emergency shelter capabilities with the Tri-City Homeless Coalition.
<b>Implementation 2:</b>	Periodically assess the need for emergency shelter and identify ways to address this need with permanent or temporary shelters, as funds are available.
<b>Implementation 3:</b>	Support and assist the efforts of organizations which provide shelter and services to the homeless.

**Policy 5B:** Continue to provide assistance to service providers of special needs households such as seniors, disabled and homeless.

**Implementation 36:** Continue to support a continuum of housing opportunities for homeless households, including emergency shelters, transitional housing and permanent affordable housing opportunities.

- **Zoning Regulations:** The religious facilities proposed to be used as part of the Winter Relief Program are located in the following zoning districts: I-R Restricted Industrial District (a); R-1-6 Single-Family Residence District (b, f and g); I-L Light Industrial District (c); R-1-8 (H) Single-Family Residence Historical Overlay District (d); and R-G-19 Garden Apartment Residence District (e). Temporary homeless shelters are permitted in all of the above listed zoning districts.

Sec. 8-22160.6 of the Zoning Ordinance establishes the regulations under which temporary homeless shelters may be regulated and approved. A permit for a temporary homeless shelter to operate may be issued for a period not to exceed one year. Other requirements are discussed below or included as conditions of approval.

Temporary homeless shelters located within the R-1 Single-Family Residence District must be located on lots having a minimum area of one acre. St. James Episcopal Church, Harvest House Community Church, and St. Leonard's Catholic Church are located on lots that exceed one acre and therefore meet this requirement. Niles Congregational Church is zoned R-1-8 (H) Single-Family Residence Historical Overlay District and located on a lot with an area of 0.77 acres. The lot is considered to be a nonconforming lot. Pursuant to Section 8-22305 of the Zoning Ordinance, any conforming use or conforming building or structure on a nonconforming lot may be enlarged, extended, reconstructed or relocated in compliance with the Zoning Ordinance. The nonconforming lot may not be reduced in area or width. The use of the Niles Congregational Church site for a temporary homeless shelter will not require any new construction or addition to an existing structure and the nonconforming status of the lot will not be increased since lot size will not be affected. The Niles Congregational Church site has been an approved site for the Winter Relief Program for the previous two years.

The seven proposed sites are required to meet the requirements of the Fremont Fire Department and the Uniform Building Code for temporary shelters including current assembly permits, fire inspections, and any required fire life safety systems such as alarms. Fire and building requirements have been incorporated into the conditions of approval.

- **Parking:** The Zoning Ordinance requires for temporary homeless shelters a minimum of three parking spaces; plus one additional parking space per ten beds. The proposed program would therefore require a minimum of seven parking spaces at each site for this program. All of the sites meet this minimum requirement and generally provide substantially more parking than the required number. Niles Congregational Church has the least number of on site parking spaces, 17 spaces. The time of the operation of the shelters for sleeping purposes is 8:00 p.m. to 8:00 a.m. Generally there are limited or no activities on the sites during that time period. The parking for the day services (the educational program from 8:00am to 5:00pm and hospitality center from 5:00pm to 8:00pm) are accommodated through the required parking for religious facilities—1 space for each 3 seats for a facility with more than 150 seats, not located on an arterial, or 1 space for each 5 seats in other cases. The Centerville Presbyterian Church has 198 parking spaces on site. Harvest House Community Church has 40 parking spaces on site.
- **Open Space/Landscaping:** No changes are proposed to any existing landscaping or open space on the different religious facility sites.
- **Circulation/Access Analysis:** No changes are proposed to any existing access or circulation patterns for the existing religious facilities.

**Environmental Analysis:** This project is exempt under CEQA Section 15304(e), a minor temporary use of land having negligible or no permanent effects on the environment.

**Enclosures:** Exhibit "A" (Site Plans and Floor Plans for each participating facility)  
Exhibit "B" (Findings and Conditions of Approval)  
Informational (Applicant Letter dated July 15, 2002, Winter Relief Program Guide)

**Exhibits:** Exhibit "A" (Site Plans and Floor Plans for each participating facility)  
Exhibit "B" (Findings and Conditions of Approval)  
Informational (Applicant Letter dated July 15, 2002, Winter Relief Program Guide)

**Recommended Actions:**

1. Hold public hearing.
2. Find the proposed project to be categorically exempt from environmental review per Section 15304(e) of the CEQA guidelines.
3. Find PLN2003-00036 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use and Housing Chapters.
4. Approve PLN2003-00036, as shown on Exhibit "A", subject to findings and conditions on Exhibit "B".

**EXHIBIT "B"**  
**Winter Relief Program (PLN 2003-00036)**

**FINDINGS**

The findings below are made on the basis of information contained in the staff report to the Planning Commission dated September 12, 2002, and the public hearing incorporated hereby.

1. The use is consistent with the General Plan designation for the site, since the land use, a temporary homeless shelter is conditionally permitted on properties designated Restricted Industrial; Residential 5-7 dwelling units per acre; Light Industrial; Residential 6.5-10 dwelling units per acre; and Residential 23-27 dwelling units per acre on the General Plan.
2. The sites are suitable and adequate for the proposed use because the temporary homeless shelters will be located in established church facilities which are able to accommodate the number of individuals participating in the program and are located on major or collector streets.
3. The proposed use would not have a substantial adverse effect on vehicular (including bicycle) or pedestrian circulation or safety, on transit accessibility, on the planned level of service of the street system or other public facilities or services because sufficient parking is provided, points of ingress-egress are properly located, and adequate fire fighting equipment access and facilities are available.
4. The proposed use would not have a substantial adverse economic effect on nearby uses because the buildings are existing and similar uses have operated previously in the buildings.
5. The proposed use would not be detrimental to the general welfare of persons residing in the immediate vicinity, the neighborhood, or the community at large because the facilities are properly regulated and are designed to limit impacts on surrounding residents.
6. The proposed use is compatible with existing and proposed development within the district and its surroundings because the temporary homeless facilities will be located within existing structures. There will be no changes made to the structures to accommodate the temporary use other than for conformance with Building and Fire Code and Health Code requirements. The proposed use is regulated by conditions of approval to be compatible with adjacent commercial and residential uses.

**CONDITIONS**

1. Approval of PLN 2003-00036 is for conditional use permit amendments to allow temporary shelters for sleeping purposes (with one month use of each facility) for 11 homeless families (maximum of 40 persons) in five existing religious facilities as follows:
  - a. South Bay Community Church – 47385 Warm Springs Boulevard
  - b. St. James Episcopal Church – 37051 Cabrillo Terrace
  - c. Fremont Bible Fellowship – 37365 Centralmont Place
  - d. Niles Congregational Church – 255 H Street
  - e. St. Leonard's Catholic Church – 3600 St. Leonard's Way

And to allow the following site for use as a hospitality center for eleven homeless families (maximum 40 persons):  
Centerville Presbyterian Church – 4360 Central Avenue

And to allow the following site for use as a day program center for eleven homeless families (maximum 40 persons): Harvest House Community Church– 42055 Blacow Road

2. Use of the above sites for temporary homeless shelters shall conform with Exhibit "A" (site plan and floor plans for six sites).

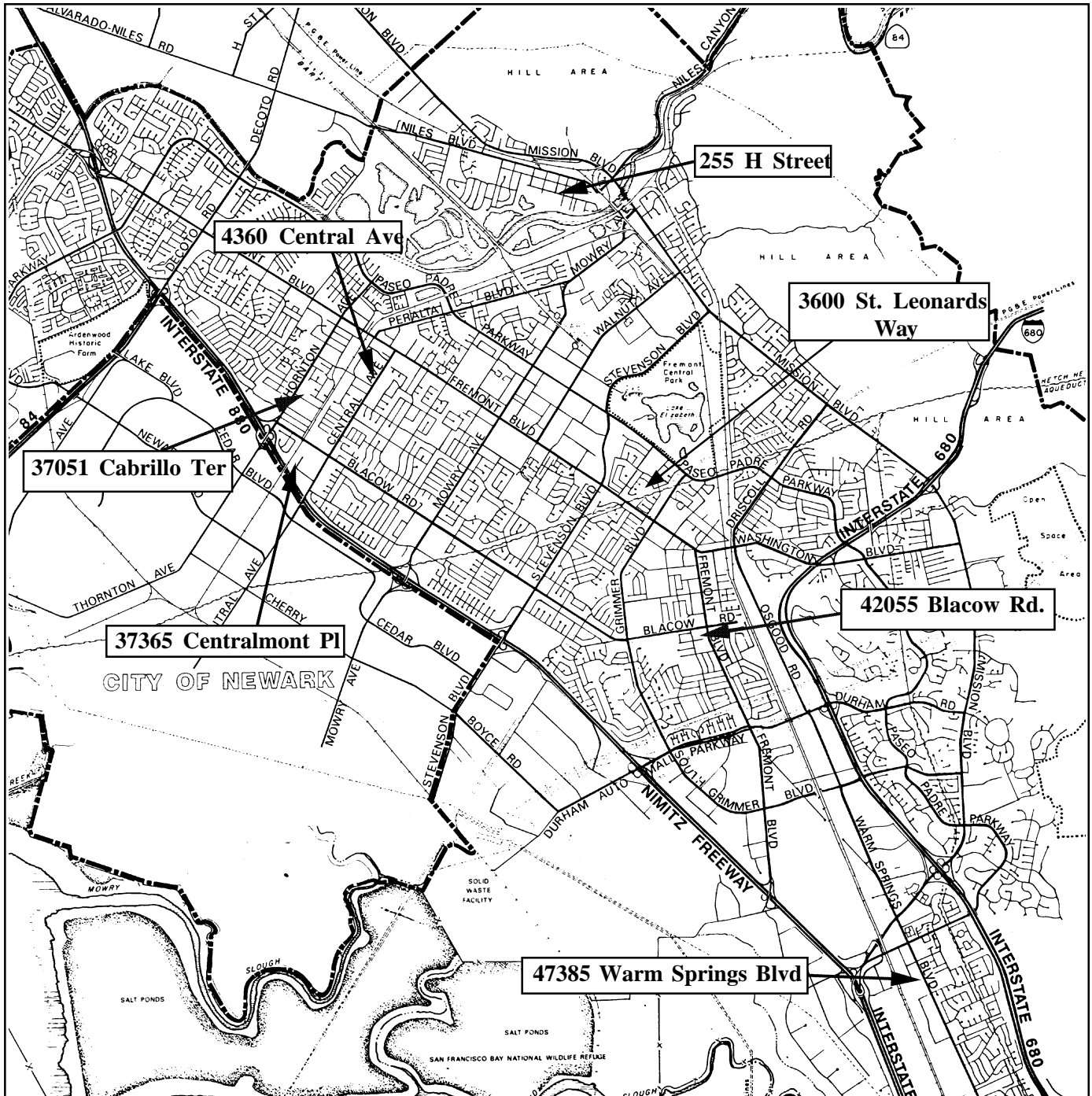
3. The maximum number of persons per shelter shall be 40 persons, excluding staff and volunteers. For this use permit, a family is considered an adult and one or more minors.
4. The Winter Relief Program will operate seven days a week during the months of November, December, 2002 and January, February, March, 2003 between the hours of 5:00 p.m. and 8:00 a.m. The program will generally include one hot meal per day, case management, and sleeping arrangements in churches. Centerville Presbyterian Church will be the hospitality site where families will gather starting at 5:00 p.m. and leave at 8:00p.m. At this site families will receive dinner and case management. Recovery programs for adults and a program for children may also be part of the program. At 8:00 p.m. the clients of the program will move to the host sleeping facility for the night. Paid shelter monitors will be at each site the entire time clients are on the premises. The families will travel by private car to the sleeping sites. After a cold breakfast, clients will leave the host sleeping facility by 8:00 a.m. Clients may move to the day program site Monday through Friday between 8:00 a.m. and 5:00 p.m.
5. Use of the sites as temporary homeless shelters may be extended due to unforeseen weather or other circumstances upon written notice from the provider and approval by Assistant City Manager. In all cases the Winter Relief Program shall end by June 1, 2002.
6. A minimum number of seven parking spaces shall be required for the use of the temporary homeless facility.
7. The location of the building, driveways, and parking areas shall be provided as shown on Exhibit "A". The shelters are required to meet the requirements of the Fremont Fire Department and the Uniform Building Code for temporary shelters including current assembly permits, fire inspections, and any required fire life safety systems such as alarms. Each religious facility to be used as a sleeping facility shall provide Fire Department with diagram of room set-up plan and bed locations before operations begin at that site.
8. Security and safety lighting will be conforming to the City Security Ordinance and regulations.
9. The activities of the temporary homeless shelter shall be accessory to and shall not interfere with the principal use of the site as a religious facility. Any childcare facilities on any of the subject sites shall remain separate from the temporary shelter program.
10. Minor modifications to the conditional use permits consistent with Title IV, Chapter 7 of the Fremont Municipal Code may be made subject to review and approval of the Assistant City Manager if such modifications are in keeping with the intent of the original approval. If the Assistant City Manager finds evidence that conditions of approval have not been fulfilled or that the use or uses has or have resulted in a substantial adverse effect on the health, and/or general welfare of users of adjacent or proximate property, or have a substantial adverse impact on public facilities or services, the Assistant City Manager may refer the use permit to the Planning Commission for review. If, upon such review, the Commission finds that any of the results above have occurred, the Commission may modify or revoke the use permit.
11. Smoking shall occur only in designated smoking area on the religious facility site.
12. Participants in Winter Relief Program shall remain on the hospitality site and sleeping facility site during hours of program. In and out privileges are not allowed.
13. Participants shall abide by Winter Relief Shelter Program Rules (Informational Exhibit) submitted by Tri-City Homeless Coalition. Failure of participant to abide by rules shall result in exclusion from shelter program.

# INFORMATIONAL

## Location Map



1" = 6000'



[ pc on 09-12-02 ]

<b>Present Zoning</b> Various	<b>Existing Land Use</b> Churches	<b>Area</b> Various
<b>Surrounding Zoning</b> Various	<b>Surrounding Land Use</b> Residential, Commercial, Industrial, Various	<b>Property Owner(s)</b> Various
<b>General Plan Designation</b> Various	<b>Proposed Land Use/Project</b> Temporary Shelters	<b>Applicant(s)</b> Tri-City Homeless Coalition

